

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

DAVID A. STEBBINS,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Civil Action No. 1:14cv1267
	)	
TWO UNKNOWN NAMED FEDERAL	)	
AGENTS OF THE U.S. MARSHAL	)	
SERVICE,	)	
	)	
Defendants.	)	
	)	

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**UNITED STATES MARSHALS SERVICE'S RESPONSE TO  
SUBPOENA DUCES TECUM**

In an order dated January 15, 2015, this Court directed the Clerk to “issue a subpoena *duces tecum* to” the United States Marshal for this district, requiring the “disclos[ure] [of] documents sufficient to reveal the information requested in Plaintiff’s motion by filing it with the Clerk of Court by 12:00pm on February 13, 2015” (Dkt. No. 14). The subpoena *duces tecum* issued, and was served upon the United States Marshal, the same day (Dkt. No. 15-16). The United States Marshals Service (“USMS”) now respectfully provides the following response to the subpoena.

**RESPONSE**

Initially, USMS has no non-privileged documents “sufficient to reveal the information requested in Plaintiff’s motion” (*i.e.*, “the full names of the two subordinate agents Plaintiff refers to in his complaint” (Dkt. No. 12)). Put simply, USMS did not author or otherwise create any document contemporaneous with any telephone conversation with Plaintiff in September 2014.

Nevertheless, in an exercise of good faith, see Schiff v. Kennedy, 691 F.2d 196, 198 & n.1 (4<sup>th</sup> Cir. 1982), USMS identifies the following two agency officials as having conversed telephonically with Plaintiff in September 2014:

Ronald Carter  
Supervisory Deputy United States Marshal  
Eastern District of Virginia  
401 Courthouse Square  
Alexandria, Virginia 22314

Joshua Devine  
Deputy U.S. Marshal  
Southern District of Alabama  
413 U.S. Courthouse  
113<sup>th</sup> St. Joseph Street  
Mobile, Alabama 36602

In providing this information, USMS expressly provides no representation about the veracity of the allegations within Plaintiff's complaint concerning the substance of any of the telephonic conversations USMS officials had with Plaintiff, or any other allegation contained within Plaintiff's complaint.

Respectfully submitted,

DANA J. BOENTE  
UNITED STATES ATTORNEY

By: \_\_\_\_\_ /s/  
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Email: [dennis.barghaan@usdoj.gov](mailto:dennis.barghaan@usdoj.gov)

DATE: February 13, 2015

ATTORNEYS FOR UNITED STATES  
MARSHALS SERVICE

OF COUNSEL: Ed Bordley  
United States Marshals Service

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and will transmit a true and correct copy of the foregoing to the following non-user via first-class mail:

David Stebbins  
123 W. Ridge Street, Apt. D  
Harrison, Arkansas 72601

Date: February 13, 2015

/s/

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MARSHALS SERVICE